In the Claims

Please amend Claims 1, 3-7, 9, 10-12, 16, 17 and 20 as follows:

1. (Twice Amended) A capsule encapsulating a cytochrome P450 [producing] expressing cell, said capsule comprising a polyelectrolyte complex and a porous membrane which [is permeable to cytochrome P450 produced by said cell] allows prodrug molecules to pass into the capsule, wherein the prodrug molecules are converted into active drug molecules by cytochrome P450.

3. (Amended) The capsule according to Claim 1, wherein [said cytochrome P450 producing cell comprises a vector selected from the group consisting of: pLX125 and pWAP.6] said capsule comprises cellulose sulphate.

4. (Amended) The capsule according to Claim 1, wherein [the cytochrome P450 producing cell is a packaging cell line comprising a retroviral vector carrying the cytochrome P450 gene, said packaging cell line harboring at least one retroviral or recombinant retroviral construct coding for the proteins for said retroviral vector to be packaged] said capsule comprises polydimethyldiallylammonium.

5. (Amended) The capsule according to Claim 4, wherein [the retroviral vector is replication-defective] said capsule is formed from counter-charged polyelectrolytes.

6. (Amended) The capsule according to Claim [4] 1, wherein the [retroviral vector comprises a 5' LTR region of the structure U3-R-U5; one or more sequences selected from coding and non-coding sequences wherein at least one of the coding sequences codes for cytochrome P450; and a 3' LTR region comprising a completely or partially deleted U3 region wherein said deleted U3 region is replaced by a polylinker sequence, followed by the R and U5 region] capsule comprises a cellulose based material.

7. (Amended) The capsule according to Claim [4] 1, wherein the [cytochrome P450 gene is under transcriptional control of a target cell specific regulatory element or promoter or an X-ray inducible promoter] polyelectrolyte complex comprises a sulphate group.

9. (Amended) The capsule according to Claim 1 [for use in the treatment of a cancer disease or any other relevant disease or disorder] wherein the cytochrome P450 2B1.

10. (Amended) [Use of the capsule to Claim 1 for producing a pharmaceutical composition useful for the] A method for ablation of tumour cells, comprising contacting said tumor cells with prodrug molecules and a capsule encapsulating a cytochrome P450 expressing cell, said capsule comprising a polyelectrolyte complex and a porous membrane which allows the prodrug molecules to pass into the capsule, wherein the prodrug molecules are converted into active drug molecules by cytochrome P450 and thereby ablate the tumor cells.

11. (Amended) A method of treating a [cancer disease or any other relevant disease or disorder] tumor comprising administering to a subject in need thereof a therapeutically effective amount of [the] a capsule [according to Claim 1] which encapsulates a cytochrome P450 expressing cell, said capsule comprising a polyelectrolyte complex and a porous membrane which allows a prodrug molecule to pass into the capsule, wherein the prodrug molecule is converted into an active drug molecule by cytochrome P450 and, either simultaneously or with a time span, [a] the prodrug which is activated by cytochrome P450.

12. (Amended) The method according to Claim 11, wherein the capsule is administered by a route of administration selected from the group consisting of: injection into the target cells, [and/or by] implantation into the target cells and[/or at the site thereof] combinations thereof, [and] wherein the prodrug is administered systemically [and/or], locally or systemically and locally.

16. (Amended) The pharmaceutical kit according to Claim 15, wherein the capsules and the prodrug are formulated [in] so that the capsules and the prodrug can be administered by different [forms] routes of administration.

17. (Amended) The pharmaceutical kit according to Claim 16, comprising the capsule in the form suitable for an injection [and/]or implantation into the target organs [and/]or next to

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[said] the target organ, and the prodrug in the form suitable for systemic [and/]or local administration.

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20. (Amended) [Use of the capsules] The method according to Claim [1] 10 [and] wherein the [a] prodrug [which is activated by cytochrome P450 for producing a pharmaceutical kit] is selected from the group consisting of cyclophosphamide and ifosfamide.

Please add the following claims:

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---21. The capsule according to Claim 9 wherein the cytochrome P450 2B1 is derived from rat liver.

22. The capsule according to Claim 1 wherein the cytochrome P450 is present in a mammalian expression vector.---

REMARKS

Priority

The Examiner acknowledges Applicants' claim for foreign priority based on the Denmark application, DK 0352/96, and notes that a certified copy and a translation of the Denmark application has not been filed as required under 35 U.S.C. §119(b).

A certified copy of DK 0352/96 is being filed concurrently herewith.

Objection to Claim 6

The Examiner states that Claim 6 is objected to because it "depends from a rejected claim" (Office Action, page 2).

Applicants are unclear as to the objection. Nevertheless, Claim 6 has been amended to depend from Claim 1.

Rejection of Claims 10-12, 16, 17 and 20 under 35 U.S.C. §112, second paragraph

Claims 10-12, 16, 17 and 20 are rejected under 35 U.S.C. §112, second paragraph "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention" (Office Action, page 3).